

AN ACT

ENTITLED, An Act to increase the minimum salary payable to county officials, state's attorneys, and sheriffs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 7-7-9.1 be amended to read as follows:

7-7-9.1. The board of county commissioners shall establish, by resolution, the salary payable to the county treasurer, county auditor, and county register of deeds. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 10,000	\$31,465
10,000-14,999	\$32,133
15,000-24,999	\$33,444
25,000-69,999	\$36,725
70,000 and over	\$39,592

The board of county commissioners may not decrease the salary of the county treasurer, county auditor, or county register of deeds during consecutive terms of office of the county treasurer, county auditor, or county register of deeds.

Section 2. That § 7-7-9.1 be amended to read as follows:

7-7-9.1. The board of county commissioners shall establish, by resolution, the salary payable to the county treasurer, county auditor, and county register of deeds. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 10,000	\$33,825

10,000-14,999	\$34,543
15,000-24,999	\$35,952
25,000-69,999	\$39,479
70,000 and over	\$42,561

The board of county commissioners may not decrease the salary of the county treasurer, county auditor, or county register of deeds during consecutive terms of office of the county treasurer, county auditor, or county register of deeds.

Section 3. That § 7-7-10.1 be amended to read as follows:

7-7-10.1. The board of county commissioners shall establish, by resolution, the salary payable for the combination of two or more of the following county elected positions. The salary payable may not be less than the minimum salary provided by this section as based upon the most recent decennial federal census of population for counties.

For the combination of two of the following: county treasurer, county auditor, or county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$33,071
10,000-14,999	\$34,911
15,000-24,999	\$36,749
25,000-69,999	\$40,420
70,000 and over	\$44,094

For the combination of all three of the following: county treasurer, county auditor, and county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$35,523
10,000-14,999	\$37,358

15,000-24,999	\$39,195
25,000-69,999	\$42,871
70,000 and over	\$47,770

Section 4. That § 7-7-10.1 be amended to read as follows:

7-7-10.1. The board of county commissioners shall establish, by resolution, the salary payable for the combination of two or more of the following county elected positions. The salary payable may not be less than the minimum salary provided by this section as based upon the most recent decennial federal census of population for counties.

For the combination of two of the following: county treasurer, county auditor, or county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$35,551
10,000-14,999	\$37,529
15,000-24,999	\$39,505
25,000-69,999	\$43,452
70,000 and over	\$47,401

For the combination of all three of the following: county treasurer, county auditor, and county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$38,187
10,000-14,999	\$40,160
15,000-24,999	\$42,135
25,000-69,999	\$46,086
70,000 and over	\$51,353

Section 5. That § 7-7-12 be amended to read as follows:

7-7-12. The board of county commissioners shall establish, by resolution, the salary payable to the state's attorney. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 5,000	\$32,143
5,000 - 9,999	\$35,045
10,000 - 20,000	\$41,388
20,000 - 49,999	\$44,398

In counties of over fifty thousand population where a full-time state's attorney is required or in counties where the commissioners designate the position full-time the sum of sixty-six thousand five hundred forty-three dollars per year. In counties of less than fifty thousand population the commissioners may designate the position full-time. The decision by the commissioners shall be adopted prior to the first day of January in the year of the election and may not be amended for that term of office. However, if no state's attorney is elected to the office at any general election, the board of county commissioners may contract for such legal services and negotiate the compensation therefor on terms and conditions determined by the board of county commissioners. The board of county commissioners may not decrease the salary of the state's attorney during consecutive terms of office of the state's attorney.

Section 6. That § 7-7-12 be amended to read as follows:

7-7-12. The board of county commissioners shall establish, by resolution, the salary payable to the state's attorney. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 5,000	\$34,554

5,000 - 9,999	\$37,673
10,000 - 20,000	\$44,492
20,000 - 49,999	\$47,728

In counties of over fifty thousand population where a full-time state's attorney is required or in counties where the commissioners designate the position full-time the sum of seventy-one thousand five hundred thirty-four dollars per year. In counties of less than fifty thousand population the commissioners may designate the position full-time. The decision by the commissioners shall be adopted prior to the first day of January in the year of the election and may not be amended for that term of office. However, if no state's attorney is elected to the office at any general election, the board of county commissioners may contract for such legal services and negotiate the compensation therefor on terms and conditions determined by the board of county commissioners. The board of county commissioners may not decrease the salary of the state's attorney during consecutive terms of office of the state's attorney.

Section 7. That § 7-12-15 be amended to read as follows:

7-12-15. The board of county commissioners shall establish, by resolution, the salary payable to the sheriff. The salary payable may not be less than the following schedule based upon the most recent decennial federal census of population of counties.

County Population	Salary Schedule
Below 10,000	\$38,378
10,000-14,999	\$41,603
15,000-24,999	\$42,893
25,000-69,999	\$48,053
70,000 and over	\$52,245

The board of county commissioners may not decrease the salary of the sheriff during consecutive terms of office of the sheriff. Any sheriff having responsibility for managing a full-time jail shall

receive an additional ten percent added to the base salary listed in this section.

Section 8. That § 7-12-15 be amended to read as follows:

7-12-15. The board of county commissioners shall establish, by resolution, the salary payable to the sheriff. The salary payable may not be less than the following schedule based upon the most recent decennial federal census of population of counties.

County Population	Salary Schedule
Below 10,000	\$41,256
10,000-14,999	\$44,723
15,000-24,999	\$46,110
25,000-69,999	\$51,657
70,000 and over	\$56,163

The board of county commissioners may not decrease the salary of the sheriff during consecutive terms of office of the sheriff. Any sheriff having responsibility for managing a full-time jail shall receive an additional ten percent added to the base salary listed in this section.

Section 9. The provisions of sections 1, 3, 5, and 7 of this Act are effective on January 1, 2014.

Section 10. The provisions of sections 2, 4, 6, and 8 are effective on January 1, 2015.

An Act to increase the minimum salary payable to county officials, state's attorneys, and sheriffs.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 86

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 86

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State